

REMARKS/ARGUMENTS

Entry of the above amendments and favorable reconsideration and allowance of the present application are respectfully requested.

Upon entry of the above amendments, claims 50-63 will be pending.

Applicants acknowledge, with appreciation, the indication that claim 56 is free of the prior art and should be in condition for allowance. Claim 56, as amended¹, includes the drying step as an optional step, and should be in condition for allowance for the same reasons that previous claim 56 was allowable. New claim 58 positively adds the drying step to the amended claim 56 and, therefore, is also in condition for allowance.

In order to expedite prosecution and more distinctly differentiate the embodiment of Claim 50 from the prior art of record, claim 50 is amended to include and be consistent with the features for a direct one-pot reaction, as in previous claim 51.

Claims 59-63 are supported by the original disclosure, including, for example, page 10, line 21, page 14, lines 11-13, page 15, lines 18-20, page 25, line 16, page 32, lines 8-10.

Accordingly, no new matter is added by the amended and newly presented claims.

Reconsideration and withdrawal of the rejection of Claims 50-55 and 57, under 35 U.S.C. 103(a), as unpatentably obvious over, Chieng et al, U.S. 5,861,110, ('110) taken with Schwertfeger et al, '375, is respectfully requested for at least the following reasons.

Neither of the cited references to Chieng '110 or Schwertfeger '375 disclose or suggest a one-pot reaction as presently claimed nor is there any suggestion that a two-step reaction could be effectively carried out in only a single step. Therefore, for this reason alone, the rejection of claims 50-55 and 57 should be withdrawn.

Although the Examiner as suggested that performing the process in a one-pot or two-pot (two-step) method are obvious, Applicants respectfully disagree.

According to the one-pot method, the hydrolyzed silane coupling reagent functions as surfactant and alcohol functions as co-solvent. This is neither disclosed nor obvious from the cited prior art.

Moreover, according to the process of Chieng '110, the silica gel is treated (after separating the silica gel from the remainder of the reaction mixture by, for example, suction filtration or centrifugation) by, washing, further separation, e.g., centrifugation, and pH adjustment (with the soak/separation cycle repeated a plurality of times and drying), see,

¹ To change the dependency to claim 50 and to insert a comma “,” between “3-aminopropyltriethoxysilane” and “ethylenediamine mono-, di-, tri- or tetra-acetate.”

e.g., col. 7, lines 10-53 and Examples. Only after all of these additional treatments is the silica gel reacted with an organosilane as a stationery phase (see, e.g., col. 8, lines 37-52).

Therefore, it is respectfully submitted that altering the reaction mechanism disclosed by Chiang (and, also, by Schwertfeger et al '375) would not have been an obvious variation.

The features recited in new claims 59-63 are not disclosed in the cited prior art and these claims are, therefore, also and separately, allowable.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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